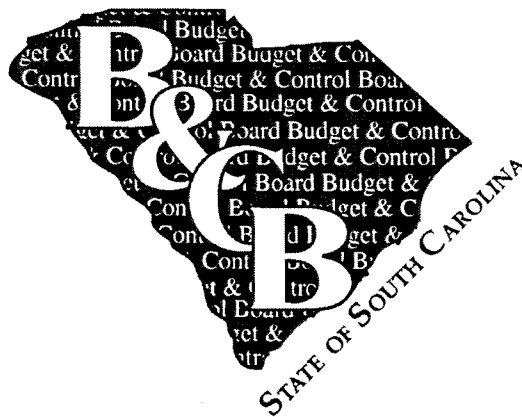


**May 29, 2004**

# State Government News Summary



**Prepared by the Budget and Control Board  
Office of the Executive Director**



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## Sanford's agenda may be left to wither on legislative vine

By JIM DAVENPORT,  
Published Saturday, May 29th, 2004

COLUMBIA, S.C. (AP) - When the 2004 Statehouse session ends in a few days, legislators will go home to face voters and leave Gov. Mark Sanford to stare at empty Senate desks where much of his agenda was left undone.

Sanford's plans to restructure government, cut income taxes, limit lawsuits and reform health care and education aren't the only bills expected to die this week.

Dozens of Senate bills made it over to the House but were never brought up for discussion or sent to the floor for debate, including changes in child custody, pardon and identity fraud laws; but even more House bills are marooned in the Senate.

As Thursday's mandatory adjournment nears, legislators and the governor are expected to point at each other as they lay blame for what didn't get done.

Sanford is aware time is short, noting that his staff worked long hours last week to justify his vetoes.

"We're in a crunch time," he said. "I think perhaps the lights need to stay on a little bit longer so that we can forge through."

However, Sanford doesn't foresee calling the Legislature into a special session to finish work on his agenda or other issues. "Calling back ... basically suggests crisis. I don't think we're at crisis," he said.

The Republican governor's stunt last Thursday - bringing two squirming piglets to the doors of the House chamber to call attention to pork that remained in the state budget - prompted nearly an hour of reaction from the Senate that delayed taking up budget vetoes.

A day earlier, the House raced through 106 budget vetoes, sustaining just one of them and drawing rebukes from Sanford for a "reckless" lack of consideration.

House Ways and Means Chairman Bobby Harrell, R-Charleston, said that many vetoes threatened to gum up the works "when there are much more important issues that we need to be talking about."

House Speaker David Wilkins, R-Greenville, said the lower chamber has accomplished much during the two-year assembly: clarifying that employee handbooks aren't work contracts; a lawsuit reform bill; making it easier to establish charter schools; getting a bill to Sanford's desk that changes how regulations are imposed on small businesses; and passing Sanford's income tax reduction plan.

In all, the House has passed 13 of Sanford's top agenda items; just one of those has cleared the Senate.

"I'll be disappointed if many of the bills passed by the House passed earlier in the session were not dealt with by the Senate," Wilkins said.

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For the most part, Sanford's priorities faced little resistance in the House, but in the Senate there's been virtually no progress.

To get around that, the House began passing some of Sanford's agenda items and other bills a second time by attaching them to bills that had cleared the Senate so they would leap to the top of the Senate's clogged calendar.

"We keep having to pass bills twice," Wilkins said.

Senators spent Tuesday and Wednesday mired in a debate over Sanford's plans to cut the state's income tax and weren't looking forward to dealing with budget vetoes.

A sense of resignation had set in.

While there were plenty of important bills to take up, "the world won't end if we don't do anything else," said Senate Majority Leader Hugh Leatherman, R-Florence.

The little piggies that went to the Statehouse with Sanford did little to win him much support, either.

Sen. David Thomas, R-Fountain Inn, had led the fight for Sanford's income tax plan but said it appeared to be dead after Sanford couldn't convince Democrats to get the issue to a vote.

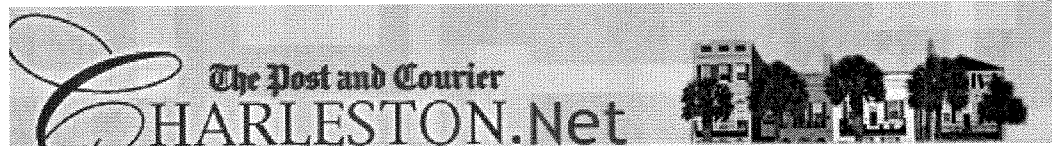
The vetoes and the pig incident show how differently Sanford works with legislators than his predecessors, who used well-defined, targeted vetoes and built support to sustain them, Thomas said.

With Sanford, its pigs and polls.

With his vetoes bashed in the House, the governor cast himself as standing up "to these bad guys and brings pigs into the chamber," Thomas said. "The problem with that is it works for the polling numbers, but it doesn't accomplish the purpose" of "winning the day on his major issues."

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## STATE/REGION The Post and Courier



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Story last updated at 7:32 a.m. Saturday, May 29, 2004

# RESIDENTS REACT TO STATEHOUSE EPISODE

Here are excerpts of e-mails received Friday in reaction to the General Assembly's overrides of most of Gov. Mark Sanford's budget vetoes and the governor's appearance Thursday in the Statehouse with two pigs to protest what he called the Legislature's pork-barrel spending:

The use of the two little live pigs in the Statehouse and in front of the House chamber was a most undignified action by this state leader and an insult to S.C. House members and has become an embarrassment to many residents and elected officials across the Palmetto State.

**Mr. and Mrs. William Tims**

**Charleston**

Gov. Sanford's piglet stunt sullies the governor's office more than it does the Legislature. His initial reaction to the House's override of his line-item vetoes -- that they were simply to embarrass him - - demonstrates what all this is really about: not the governor's lobbying for fiscal responsibility, but the governor's getting his way.

**Elayne Cree**

**Charleston**

I believe Gov. Sanford sees himself as nobility and the General Assembly as representatives of the peasants ...

As to his bringing pigs into the Statehouse, the governor needs to be reminded that a man is known by the company he keeps.



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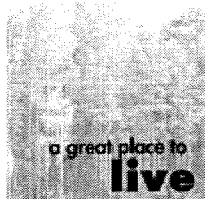
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### William J. Kanapaux

#### Charleston

Too bad that the citizens of South Carolina are yet again the butt of national jokes because of the disrespect shown by a few grandstanding politicians in Columbia.

### Rebecca Gray

#### Charleston

This bay of pigs fiasco could have been avoided if the General Assembly and its leaders had given the governor's vetoes proper consideration. It boils down to the vast majority of the Legislature resenting that this governor has a spine and is not a product of inbreeding.

### Audrey Horne

#### St. George

Our representatives and senators have let all of us down once again. We finally get an intelligent governor with a plan to improve a wasteful state government, and the self-centered Legislature has blocked South Carolina from becoming a public-serving, fiscally responsible and competitive state in this great nation.

### Delman Macpherson

#### Mount Pleasant

It's interesting that some members of the state Legislature claim that Gov. Sanford's recent "pork" stunt will bring bad publicity to the state and further tarnish the national image of South Carolina. Those who would make such a claim need look no further than the front steps of the Statehouse to recognize that their own efforts to keep a divisive symbol of Southern failure displayed in a position of prominence have hurt the state far more than a little political grandstanding by a well-intentioned, fiscally responsible governor.

### Bill Smith

#### Columbia

I agree with some of the cuts that Sanford has made. I think that his behavior, however, is ridiculous. If I disagreed with my co-workers and pulled a stunt like that, I would get fired. The voters should fire him ... It is a desperate act to garner support for a failing idea.

### Chris Baker

#### Summerville

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I believe the problem is with the Legislature. The Senate leader and the House leader are dead-set against the governor's attempt to save the taxpayers money. Their main thrust is to satisfy their constituents so they will win the next election ... This is business as usual for these tax-and-spend legislators; let's vote them out of office.

**Roy Burley**

**Mount Pleasant**

I think the governor is absolutely correct in his attempts to eliminate budgetary "pork." However, one must take a philosophical step back and remember that we live in a state where NASA doesn't often recruit. The governor is just not going to have much success against this Legislature. Remember, these are the same folks that couldn't bring themselves to pass a law making seat belt wearing mandatory. Like a wise man once said, "Never underestimate the power of a large group of stupid people."

**Luke Biggs**

**Summerville**

I commend Gov. Sanford for his efforts in trying to cut pork spending and to get the state of South Carolina back on track. His record in Washington was the main reason I voted for him for governor. It is unfortunate that his "pork barrel" demonstration was taken in bad light. He certainly made his point, and this hit a nerve with the legislators ...

**Marie G. Smith**

**Charleston**

Unfortunately, the state Legislature missed a golden opportunity to follow the visionary ideas of Gov. Sanford. Lowering the state income tax would have gone a long way in attracting higher paying jobs to the state, instead of relying solely on cyclical tourism and manufacturing.

**Erik S. Larsen**

**Charleston**

It is a crying shame that the legislators did not take the governor's vetoes seriously and properly debate the merits of each instead of making a blanket override. One can easily understand the frustration that Gov. Sanford felt in experiencing such a cavalier attitude taken against his attempt to bring responsible government to the state!

**W.H. Kastner**

**Charleston**

I am fed up with the feud. I supported Mark Sanford, and still do, because of his unique positions and drive for change. Obviously enough South Carolinians agreed with me to get him elected. The Legislature apparently cannot work with him to accomplish some much-needed agenda items such as income tax reform and government restructuring. I hope all other frustrated voters send a message to the Legislature in November. We want senators and House members who will work WITH Gov. Sanford.

**Katherine Stockhaus**

**Summerville**

The perception that a Republican-controlled Legislature means conservative spending has once again been proven to be unfounded. The members of the General Assembly have shown their unwillingness to change from a system that has burdened South Carolina for generations, the "good ol' boy system."

**Don Haynie**

**Charleston**

Does the state of South Carolina really need this kind of publicity?

**Judy Hammill**

**Charleston**

It may not get him re-elected, but at least it is shining the light of day on the archaic "good ol' boy, backroom" system of government that our state operates under. I've heard people say that "Governor Sanford needs to learn how things are done around here." Just because it's always been done this way, is not sufficient reason to continue to do so.

**Shannon Garnett**

**Mount Pleasant**

Hooray for Gov. Sanford!

Pork barrel spending in this country and state is ruining us.

**Raymond A. Kessler Jr.**

**Charleston**

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Story last updated at 7:31 a.m. Saturday, May 29, 2004

## Kuhn facing tough fight to keep seat

### Freshman senator confident he'll win

**BY SCHUYLER KROPP**  
Of The Post and Courier Staff

As the June 8 Republican primary approaches, Sen. John Kuhn is in the biggest struggle of his short political career.

Kuhn faces two well-known opponents: Charleston City Councilman Henry Fishburne and former state lawmaker Chip Campsen.

Kuhn isn't listening to naysayers. A decided underdog, he out-hustled Republican H.B. "Buck" Limehouse and Democrat Leon Stavrinakis -- in a district that favored Democrats -- to win the seat in a special election in 2001, and he plans to hustle as much this year.

"I see myself standing up for my constituents, and I think that's going to carry the day," Kuhn said.

The District 43 battle is perhaps the top Statehouse race on the Republican Party radar screen this season. The district stretches from the Isle of Palms to Folly Beach before boundaries move inland to include parts of the Charleston peninsula, Mount Pleasant, North Charleston and lower Berkeley County.

It includes eight municipalities and most of Charleston's major tourism sites.

The fight is going to be expensive. When the bills come due, it's likely the three candidates will have spent close to \$100,000 each for a part-time job that carries a base pay of \$10,400 a year plus per diem and expenses.

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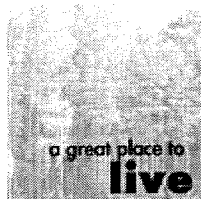
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Fishburne emerged as Kuhn's first challenger. The Charleston real estate lawyer, whose campaign slogan is "Go Fish!" hasn't been shy about calling Kuhn an embarrassment. He said Campsen appears to be touting his ties to the governor.

That doesn't address the problems in the district, Fishburne said. "To me, the issues are improving education, lowering property tax burdens and relieving traffic congestion and sprawl," he said. Fishburne favors more education money going to lower grades, a bigger commitment to technical colleges and better coordination by local governments to address sprawl.

"I've got more local government experience than either one of the other two candidates," he said. "If we don't work together ... (Charleston) is going to look like South Florida."

Kuhn came under fire earlier this year after he helped kill Gov. Mark Sanford's government restructuring plan. Kuhn was not alone in voting against the proposal, but he seemed to draw the most ire from Sanford.

While Kuhn supported most of Sanford's agenda, the sting from his opposition to restructuring has lingered.

Kuhn won the Senate seat Democrat Ernie Passailaigue vacated when he took the job running the state lottery. Fellow senators say Kuhn is a quick learner.

"He's a gutsy fella; nobody pushes him around," said Sen. Arthur Ravenel, R-Mount Pleasant. "In his early tenure he was -- how do you say it? -- overly enthusiastic. He was excited about being in the Senate."

A high point of Kuhn's tenure was the Teacher Protection Act, which he introduced after an award-winning teacher at North Charleston High School was beaten. The assailant received probation. The bill mandates jail time and felony status for any assault on a teacher or school employee by a student on school grounds or at a school-sanctioned event. The measure passed the Senate, and an amended version passed the House.

Kuhn said the bill was the second major piece of legislation Sanford wanted passed. The first was the use of about \$155 million to help pay off debts from the past two years.

"His first two legislative victories were brought about by my hard work," Kuhn said.

Other Kuhn votes have drawn barbs from lawmakers. Last year, Kuhn filibustered for two hours to torpedo a bond bill that included \$80 million for Charleston colleges. Kuhn cited tight economic times and the fact that the bill received its first Senate hearing just two days before the end of the session. Still, the filibuster angered Charleston lawmakers who put the plan together.

Kuhn is unapologetic. "When the Republican program includes fiscal conservatism and not misuses of the taxpayer's dollar, I'm a rock-solid Republican," he said. "When the Republican politicians

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want to push through fat pork-barrel spending bills, then I'm not for that."

This year, Kuhn drew the ire of victims' rights groups when he temporarily held up a bill targeting Internet sexual predators. The vote in the Senate Judiciary Committee came hours after Kuhn, a lawyer, appeared in a Lancaster County courtroom on behalf of an adult male accused of sexually assaulting a female minor he met via the Internet.

Kuhn questioned whether the bill addressed another aspect of Internet solicitation: minors who lure adults. He told the committee it was "pretty tragic" when a "minor does the soliciting and you end up with statutory rape unbeknownst to the person who is of age." He added that 15-year-olds today can be "pretty forward, pretty bold and pretty mature." Kuhn later supported the predator bill.

But Kuhn's biggest flap was a blowup with the first lady after she gave the Campsen campaign \$1,000. Campsen and the governor have been friends since they met in Charleston 20 years ago while attending college.

Sanford's camp said Kuhn lost his composure, which escalated the encounter, while Kuhn described Jenny Sanford as shrewish.

Statehouse veterans said a fight between a sitting lawmaker and a governor's wife is unprecedented in the halls of the Legislature.

"You don't get in a shouting match with a cleaning lady, and you sure don't get in a shouting match with a first lady," said state Rep. John Graham Altman III, R-Charleston. Altman was Campsen's seat-mate in Columbia.

Kuhn hasn't announced endorsements from any sitting politicians this year.

Campsen, who recently was endorsed by Mount Pleasant Mayor Harry Hallman, represented East Cooper in the Statehouse for six years before retiring after a self-imposed three-term limit. As a lawmaker, he authored legislation creating the state Conservation Bank and the Conservation Incentives Act, which offers a tax credit for donating a conservation easement to the state or a nonprofit land trust.

He also authored a bill that allows parents to invest in mutual funds with money that isn't taxed as long as the investment and earnings go to college or graduate school expenses. After leaving office, he became a leader in Sanford's gubernatorial transition team, helping select agency heads for the Cabinet.

Campsen bristles at Fishburne's charge that he is trying to run on his friendship with Sanford. "It's not about a relationship with the governor. It's about leadership with the governor," he said, adding that "Henry Fishburne has not authored or sponsored a single bill into law."

Campsen is expected to rely heavily on the Christian right, which

supported him in large part when he was in the Statehouse before.

Kuhn said he plans to return to Columbia for the new term that begins in January. "We're running a start-to-finish campaign, and I expect to win," he said.

College of Charleston political scientist Bill Moore doesn't share Kuhn's optimism. He said the outcome will show whether Kuhn can survive warring so publicly with other Republicans.

"I'd be very surprised to see him hold onto that seat," Moore said. "Kuhn is mincemeat."

#### **STATE SENATE DISTRICT 43 CANDIDATES**

##### **GEORGE E. 'CHIP' CAMPSSEN III**

AGE: 45

RESIDENCE: Isle of Palms

FAMILY: Wife, Lalla Lee; two children

EDUCATION: Furman University, B.S., 1981; University of South Carolina Law School; USC, MBA

PHONE/EMAIL: 722-0123; campaign@campsen.org

OCCUPATION: Lawyer, businessman

POLITICAL EXPERIENCE: S.C. House of Representatives, 1997-2002; aide to Gov. Mark Sanford, 2002-03

##### **HENRY FISHBURNE**

AGE: 56

RESIDENCE: Downtown Charleston

FAMILY: Wife, Lurline; three children

EDUCATION: University of the South (Swanee), 1970; USC Law School

PHONE/EMAIL: 723-5051; Fishburn@BellSouth.net

OCCUPATION: Real estate attorney and investor

POLITICAL EXPERIENCE: Charleston City Council, 1999-present

##### **JOHN KUHN**

AGE: 41

RESIDENCE: Downtown Charleston

FAMILY: Wife, Shea; three children

EDUCATION: Vanderbilt University, 1986; John Marshall Law School

PHONE/EMAIL: 577-3700

OCCUPATION: Lawyer

POLITICAL EXPERIENCE: Senate District 43 incumbent

Schuyler Kropf covers state and local politics. Contact him at 937-5551 or skropf@postandcourier.com. Clay Barbour of The Post and Courier staff contributed to this report.

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## Dry days ahead as drought puts grip on Upstate

Posted Friday, May 28, 2004 - 10:41 pm

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By Jason Zacher

ENVIRONMENTAL WRITER

[jzacher@greenvillenews.com](mailto:jzacher@greenvillenews.com)

WARE PLACE — Jamie Chandler knew the Upstate was facing a new drought when the artesian spring behind his well-drilling business didn't bubble up last month.

"It was put in back in the '30s, so for the past 70 years, it's been our rule of thumb on the water supply," he said.

The Upstate is more than 15 inches below normal rainfall since Labor Day, which marked the end of the wettest 12 months on record. That stretch followed a four-year drought, one of the longest in the state's history.

The National Weather Service declared Thursday that Anderson, Laurens and southern Greenville County are in a severe drought.

The rest of the Upstate is in a moderate drought, said meteorologist Wayne Jones.

If this drought drags on, it won't take four years for the region to get in dire straits like last time, said Venkat Lakshmi, professor of geology at the University of South Carolina.

"We have not fully recovered from the last drought," Lakshmi said. "It's very easy to go from adequate water to no water."



Jamie Chandler of J.R. Chandler Well Boring and Drilling looks over the dry creek bed behind his business in the Ware Place. Staff/Bart Boatwright

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You can save water, and money, by taking some simple steps around your home.

The Department of Natural Resources has not yet declared a drought in the state. State Climatologist Hope Mizzell could not be reached for comment.

It has reached the point where residents need to start conserving water again, Jones said. Saving some water now could prevent government demands, or even mandates, to reduce water later.

"If this continues through the summer, we will start seeing impact on water supplies," Jones said.

Part of that is because there are 53,000 more people living in the Upstate today than there were at the start of the last drought in 1998, which is equivalent of adding a new city of Greenville. That's 53,000 more people drinking from faucets, flushing toilets and taking showers.

And there are still plans on the table for thirsty Atlanta to tap Upstate water, though the city has not moved on plans publicized in 2002 to start piping water out of the Savannah River basin, which includes lakes Jocassee, Keowee and Hartwell.

Not everyone agrees increased demand will be enough to change the Upstate's water fortunes. Bud Batr, the state's chief hydrologist, said a rise in population, and similar rises in water consumption per person won't be enough. South Carolina has plenty of water, he said, we just don't always have the water where we need it.

"Because of more frequent extreme events, we need better planning on how to manage our water," he said.

The increased demand is not just from residents. Chandler said he worries about the demands of new businesses, particularly factories that use water as part of their production.

- Repair dripping faucets One drop per second wastes 2,700 gallons per year.

- Repair leaky toilets, which can waste 200 gallons a day.

- Operate dishwashers and washing machines when they are fully loaded.

- Use soap and water in a bucket and wash your car on the lawn.

- Water your lawn every third day and early in the morning.

- Collect the runoff from your roof in a barrel and use it on your plants and garden.

- Buy a rain gauge to determine how much rain your yard has received.

- Switch to ultra low-flow shower heads

- Consider installing an automatic rain shutoff device on your sprinkler system.

- Mulch reduces evaporation, promotes plant growth and reduces weeds.

- Install aerators on every faucet. This could save as much as 1 gallon every minute.

- Verify that your home is leak free. Read your water meter before and after a two-hour period when no water is being used. If the meter does not read exactly the same, there is a leak.

- Store drinking water in the refrigerator. Don't let the tap run while you are waiting for cool water to flow.

- Insulate your water pipes. You'll avoid wasting water while it heats up and electricity to heat more water.

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Apart from the spring, Chandler said there's one other way to tell we're in a drought again: He's getting a small, but increasing number of calls to replace dry wells.

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**Going to extremes**The area needs anywhere from five to eight inches of rain to return to normal, according to the weather service's recent drought statement. Stream levels are "well below normal" and the lakes and reservoirs are running up to three feet below full pool.

And the heat kicked in sooner than usual. Last year there were only nine days all summer that beat 90 degrees. This year, there have already been three and it's not even Memorial Day.

This hot, dry weather means more than an inch of water a week can evaporate from area lakes, which provide much of the drinking water for urban and suburban areas, Lakshmi said. In a normal year, we should get about an inch of rain a week. Last year, we averaged two inches of rain per week and this year, less than a half inch.

"When you put the math together, it's very simple," Lakshmi said.

There is disagreement among experts on whether the area has fully recovered from the last drought and whether that, not more consumption, is the reason why the Upstate may face water restrictions faster during this drought than last.

Rainfall for the Upstate is expected to be near normal for the next several months, but that has been the forecast for much of the spring.

**Sprawl makes it worse**Adding to the problem is when the Upstate is getting rain, less of it is sinking into the ground. More construction and paving on what were grasslands and wetlands makes it harder to recharge the groundwater, said Brad Wyche, executive director of Upstate Forever.

A 2002 study by the Natural Resources Defense Council showed Greenville loses between 12 billion and 25 billion gallons of water a year to runoff. That's enough to supply up to 777,000 people with water for a year, the report concluded.

"What this shows is that sprawl makes a drought even more painful because even when it does rain, a lot of the water runs rapidly off the asphalt and is not able to soak into the ground," he said.

Instead of sinking into the ground, the water moves quickly from Greenville, down the Reedy, Enoree and Saluda rivers, into Lake Greenwood and beyond. Decades ago, much of that water would have slowly seeped underground.

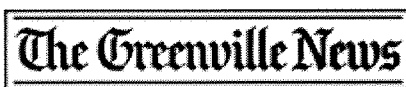
We're also not getting the right kind of rain, Batr said. We need slow, steady rains over a period of several days. The area's summer thunderstorms helps utilities and water companies, but does little for people with wells and farmers.



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Posted on Sat, May. 29, 2004

## Outreach program to aid Hispanics

**S.C. Human Affairs Commission seeks to help residents in poor living situations**

By KRISTY EPPLEY RUPON  
Staff Writer

Hispanics living in poor housing conditions are often afraid to report the landlords who are taking advantage of them.

But a recently launched outreach program is designed to let Hispanics know that they have an avenue to report housing abuses or discrimination.

"They are afraid that if they come forward, they are going to be deported," said Delaine Frierson, an investigator with the S.C. Human Affairs Commission, which started the program.

The number of Hispanics living in South Carolina grew to more than 95,000 in 2000, according to the U.S. Census. But some say that number is misleading because many Hispanics who are in the country illegally do not report census information.

But, Frierson said, even undocumented immigrants have rights to fair treatment under the S.C. Fair Housing law, which prohibits discrimination based on factors including race and national origin.

That is the message the education outreach program is trying to spread.

"We saw a void, and we saw a need ... to educate the public and the Hispanic community on what their rights are," Human Rights commissioner Jesse Washington said.

The program was started in January with a 1-year, \$100,000 federal grant from the U.S. Department of Housing and Urban Development. The grant is paying for a program coordinator, Spanish-language housing materials for statewide distribution and other expenses.

The program primarily targets six counties with high Hispanic populations: Richland, Charleston, Florence, Newberry, Saluda and Spartanburg.

The Rev. Sonia Ortigoza, Hispanic ministry coordinator for the United Methodist Church in South Carolina, said the commission's outreach program is a much-needed resource for Hispanics and those trying to help them.

"I believe what they offer us is exactly what we need," she said.

Finding decent, affordable housing can be a challenge for Hispanics moving to South Carolina. Ortigoza knows one Hispanic family living in a mice-infested home whose landlord has ignored requests for help.

But, she added, "they don't have the money to move to another place."

"They don't report," she said of Hispanic families in these situations. "They're just glad to have a place to stay."

And Ortigoza said problems such as discrimination are growing, too. She said she is aware of cases in which Hispanics have been refused housing based solely on their accents or appearance.

"When the population is growing more and more, the situation becomes worse," Ortigoza said.

Betsy Morales, coordinator of the outreach program, has been distributing Spanish-language fliers about housing laws and available resources to Hispanics statewide. She finds them through church and community groups, as well as events

and individuals.

"I am bilingual," said Morales, a Puerto Rican native. "I am here to help them, and I am Hispanic."

Morales gets a lot of questions during discussions with Hispanic groups. Many people want to know whether they need social security numbers to make a report against a landlord — they don't, she said. Others question whether things that have happened to them are illegal.

Cheryl Harleston, director of the city of Spartanburg's community outreach department, said housing issues can be even more basic — such as how to work modern appliances.

"It's just such a huge problem in getting information out," Harleston said.

The Human Affairs commissioner said the problem is mainly one of disconnect.

"You can't really function in a country until you know how to navigate the system in that country," Washington said.

"If a person knows how to access the system, then we'll be doing our jobs because knowledge is power."

Reach Rupon at (803) 771-8622 or [krupon@thestate.com](mailto:krupon@thestate.com).

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## Senate candidates spar over trade pact signing

Posted Friday, May 28, 2004 - 7:49 pm

By DAN HOOVER  
STAFF WRITER  
[dhoover@greenvillenews.com](mailto:dhoover@greenvillenews.com)

Republican Jim DeMint praised President Bush's signing Friday of a Central American trade pact, and Democrat Inez Tenenbaum expressed disappointment over it as South Carolina's U.S. Senate campaign entered the Memorial Day weekend.

Former Gov. David Beasley announced the support of several NASCAR legends with a radio ad, and former Attorney General Charlie Condon hit the airwaves with a domestic violence spot.

DeMint hailed the Central American Free Trade Agreement as a boost to South Carolina exports and, by extension, jobs.

"States like South Carolina with changing economies are increasingly reliant on export sales to secure the jobs of the future. If we are going to create new jobs in South Carolina, we must create new markets for the products we make," he said.

The pact's signatories include Guatemala, El Salvador, Nicaragua, Honduras and Costa Rica.

Signing the agreement signifies rejection of "the isolationist doom and gloom scare tactics we hear from some politicians in both parties," DeMint said.

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On Wednesday, Tenenbaum announced a petition drive aimed at influencing Bush against signing the agreement. She contended it would expose the nation's workers to a new round of unfair trade competition.

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Tenenbaum expressed disappointment Friday about Bush's signing as her campaign transmitted "more than 200 signatures" solicited on her Web site.

"The people of South Carolina are sending President Bush a simple message: Do not sign CAFTA, because the last thing we need right now is another trade agreement that puts South Carolinians out of work," she said.

Myrtle Beach Mayor Mark McBride, the only openly protectionist candidate in the GOP field of six, criticized the signing of the pact, which still must win congressional approval.

The agreement, he said, "is just another in a long line of irresponsible trade agreements that have only served to send American jobs abroad."

Condon, who made curbing the state's high incidence of domestic violence a priority as attorney general, focused on that issue in the 30-second ad.

The spot is built around Karen Petit, a domestic violence victim and advocate for tougher policies to combat domestic violence.

"As attorney general, Charlie Condon increased domestic violence convictions by 41 percent," she said. "For Charlie Condon, security is a real life issue, and that includes security in our own homes."

Since becoming a Senate candidate, Condon has convened a domestic violence roundtable to outline remedies he would support in the Senate.

Beasley keyed his announcement to Sunday's NASCAR race in Concord, N.C., targeting this election's prize group, the so-called "NASCAR dads."

Backing Beasley in a radio ad released for the weekend are brothers Ward and Jeff Burton and Bobby Labonte.

In the ad, Jeff Burton said, "I encourage all you NASCAR fans to vote for David Beasley. He's our kind of guy."

Beasley's Society Hill home is near the famed Darlington Raceway where Ward Burton won the 2002 "Southern 500."

One reason he's running, Beasley says in the ad, is "to stand up for South Carolina's conservative values and culture," of which racing is a part.

Also, Friday, Tenenbaum released her "Vow to America's Veterans" plan and the formation of a Veterans for Tenenbaum campaign auxiliary.

Her veterans' program includes:

— Reducing the backlogs for treatment at Veterans Administration hospitals by hiring 200 employees to process claims.

— Making adequate funding of veterans' benefits mandatory "like Social Security and Medicare."

— Promoting medical research into new combat-related conditions.

— Making it easier for veterans to obtain necessary drugs by filling non-VA prescriptions at VA pharmacies.

Members of the veterans' group include state Sen. Ralph Anderson, John Crabtree Jr., Thomas Gower, Ernest Harrill, Charles Hart, James Hudson, Robert Huff, Edward Jones, Charles McLawhorn, Alex Mumford, a former Greenville County Democratic Party chairman; James Parham Jr., former U.S. Education Secretary Dick Riley, Mark Sims, Melissa Stone, George Tate and William Webster, all of Greenville.

Also, Darrell Curry of Simpsonville; Al Brooks of Marietta; Floyd Brown and C.S. Funderburk, both of Taylors; George Topka of Travelers Rest, and Frank Hooper III and Mike Hammond, both of Greer.

Dan Hoover covers politics and can be reached at 298-4883.

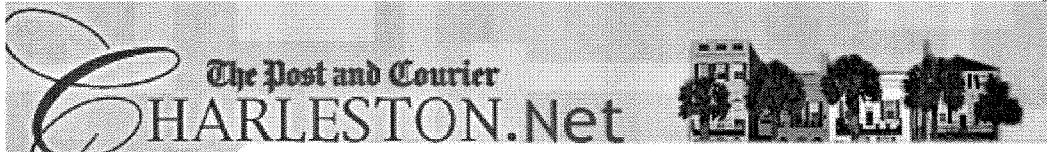


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Story last updated at 7:30 a.m. Saturday, May 29, 2004

## State inmate executed in electric chair

### Man convicted of killing two women in 1992 in Sumter, Calhoun counties

**BY JEFFREY COLLINS**  
Associated Press Writer

COLUMBIA--James Neil Tucker, who killed two women while looking for money 12 years ago, was put to death Friday in South Carolina's electric chair.

Moments before his death, Tucker expressed remorse in a statement read by his lawyer Teresa Norris. "To those I have harmed: my abject apologies and regrets. I am ashamed," the statement read.

Then a brown hood was placed over Tucker's head, and an electrician checked the long, black cord that ran from the ceiling of the death chamber to the wooden chair.

The electrician nodded at the warden and about 30 seconds later, a breaker fell with a thump. Tucker's body jerked upward, then the breaker was shut off, and he slumped forward in the restraints.

A few seconds later, more current was sent for about two minutes. Tucker's body had no reaction. He was officially pronounced dead at 6:11 p.m.

Tucker was executed for killing 54-year-old Rosa Lee "Dolly" Oakley in her Sumter County home in June 1992. He stole \$14 from Oakley, then shot her twice in the head. Tucker said he needed money to help his pregnant wife.



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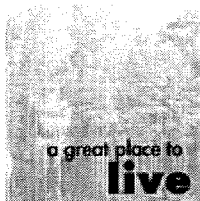
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He also was sentenced to death for killing 21-year-old Shannon Mellon in Calhoun County six days later. Mellon's hands and legs were bound, and she was shot three times in the head. Tucker took her car and \$20.

Tucker, 47, is the first inmate in the nation to go to the electric chair since Earl Bramblett was executed in Virginia in April of last year, and the first to be electrocuted in South Carolina since 1996.

South Carolina allows inmates to choose lethal injection, but Tucker's lawyer said he felt if he made a choice about how he should die, he would be condoning his own death.

Oakley's husband and Mellon's father watched Tucker's execution. Neither showed emotion as Tucker died, and they didn't talk to reporters after the execution.

Witnesses were taken to the death chamber about five minutes before Tucker was scheduled to die. Behind a black curtain, prison officials took him the short distance from his cell to the chair.

Muffled voices could be heard as they strapped Tucker in. Then his minister began praying with him, and they both sang a hymn about how Jesus is always with someone no matter what happens.

Then pastor Eddie Norris said, "Glory, hallelujah, amen?"

"Glory, hallelujah," Tucker said.

Friday's execution ended a life of crime for Tucker. He was sent to an adult prison at 17 for raping an 8-year-old girl and an 83-year-old woman in Utah.

He escaped three times from prison while serving that sentence from 1974 to 1991. Last month, Tucker tried to escape from death row by threatening a guard with a safety razor blade melted into a toothbrush. He was recaptured minutes later.

Tucker said his stepfather abused him, and he was raped by an older prisoner while he was in a psychiatric ward as a young teen, according to Orangeburg lawyer Jay Jackson, who defended Tucker in the Mellon case.

"Everything was about him and about his needs. And if his needs were averse to yours, then tough," Jackson said earlier this week.

Tucker is the 247th inmate to die in South Carolina's electric chair, which was built in 1912. But he is only the second to be electrocuted since the state first offered lethal injection in 1995.

Friday's execution was the fourth in South Carolina this year and the 32nd since the death penalty was reinstated in 1976.

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MyrtleBeachOnline.com

Posted on Sat, May. 29, 2004

## DISTRICT 34

# Hopefuls agree on roads, schools

By Zane Wilson  
The Sun News

Three Republicans with very different backgrounds are trying to stake a claim as the best choice to succeed retiring state Sen. Arthur Ravenel, R-Mount Pleasant.

The GOP primary in this race is particularly significant because Democrats are not contesting the seat.

The winner of the party nomination is almost assured to fill the post.

Ravenel's seat, Senate District 34, is one of the most sprawling on the legislative map. It runs more than 90 miles from the south end of Myrtle Beach along the coast into downtown Mount Pleasant.

Besides agreeing on many of the major issues, the candidates share another attribute: They all are Georgetown County residents, which should satisfy voters who resented their loss of a resident senator after the districts were redrawn in 1996.

## Ray Cleary

Ray Cleary, 56, a Surfside Beach dentist who lives in Murrells Inlet, says he is the one with the energy and proven community service record to fulfill the requirements of the job.

Nobody will outwork him on behalf of the district, Cleary says.

The district's top issue is roads, Cleary says. Besides Interstate 73, they include a connection between U.S. 17 or Carolina Bays Parkway and U.S. 701.

Roads will maintain the quality of life and enhance it by fostering new jobs, he said.

Getting these roads will take a combination of approaches including charging tolls for I-73, working for a better formula for the area's share of road money and borrowing money while interest rates are favorable.

He also would consider a gas tax increase if it came back to the area for use in road construction.

Cleary was a founder of two banks in the area and currently leads the board of one. That gives him an insight into business needs and working with business people who will help the district, he said.

"That's an advantage that I bring to the table," he said.

Creating a more business-friendly environment will bring more revenue to the state for education and other needs without raising taxes, Cleary said.

Education should be better funded, perhaps with lottery money, he said. The number of administrators should be reduced in the school systems, saving money to pay teachers better, Cleary said.

Cleary said handling growth is mostly a local government issue, but the state should help, such as with water quality and other growth-effect issues.

"I believe in home rule, period, because local government is much closer to the people," he said.

Because of growth, "the quality and supply of water is the No. 1 environmental issue we will face in the next 10 years," he said.

Legislators should not cut local property taxes, but they should fix the effect of rising values on low-income people, Cleary said.

"It's a crime that somebody 85 years old should be selling their property because they made a good investment 50 years earlier," he said.

## **Ricky Horne**

Ricky Horne, 51, a property manager who lives in Litchfield, said he is the working guy in the campaign who is more like 90 percent of the people in the district than the other two candidates.

"I'm out here struggling to make a living," he said.

Horne, who ran for the same seat in 1992 as a Democrat, said the issues have not changed since then.

Like Cleary, he thinks roads are the area's top problem, and he favors tolls as a way to help pay for a major project such as I-73 as well as a 1-cent gas tax increase.

He also would like to see the state pass a 2-cent sales tax for property tax relief, he said.

The state could save money by operating more efficiently, the way Gov. Mark Sanford proposed, Horne said. Sanford wants to merge some agencies and have more control over their budgets. Legislators should not dictate how money is spent in agencies, Horne said.

Horne also sees lottery money as a way to boost education spending for kindergarten through 12th grade and says waste should be cut by eliminating school districts, so each county has only one.

The number of administrators in the districts should be cut to save money for teaching, he said.

"The classroom should be first," he said.

Horne said he is a product of a poor rural school system in his hometown of Loris, where he also suffered by getting behind because his poor eyesight was not diagnosed when he was in the early grades.

He said he sympathizes with kids in school districts that are not getting the funds and services they should.

Horry County is struggling to keep up with growth in its school system, as well as other areas, Horne said. Local government and legislators should work together to plan for the growth that is here and that is still to come, he said.

"They're coming. We just need to prepare the trenches and flow it where we want to flow it," he said.

## **David Maring**

David Maring, 58, a retired circuit judge who grew up on a farm near Andrews, says he is the one who knows the area and its needs best and can jump into work in the Capitol because he knows many of the players after being elected by them five times when he was a judge.

He agrees with the others that roads are the area's top problem for many reasons, including hurricane evacuation.

"We got a disaster waiting to happen," he said, because if a storm came at peak tourist season and moved quickly enough, there might not be enough time to get everybody out of the danger zone.

Better roads, especially making U.S. 701 four lanes and connecting it with U.S. 17, would spur economic development in the western part of Georgetown County that would help ease the tax burden on residents in high-value areas along the coast, Maring said.

He thinks I-73 must have a toll to be built but thinks it could move along faster if the Federal Emergency Management Agency would rule it is needed for hurricane evacuation.

"I think we could sell that in Washington," he said.

He agrees with the others on use of lottery money.

"We should redirect not all, but most, of our lottery money to K-12," he said. "The idea that everyone needs to go to college is just wrong-headed."

Most growth issues are under local control, Maring said, but the state has a role to play.

"People come here because they love the environment," but their arrival affects it, he said. The state can help with efforts such as maintaining water quality in areas such as Murrells Inlet, which is affected by polluted runoff.

"We shouldn't be dumping that stormwater straight to the inlet," he said.

Maring does not favor a sales tax to take the place of property taxes for schools.

That could mean the end of local control of schools because the state would be paying the bills, he said.

"We do not need to do away with property tax, but we need to come up with some alterations to it," he said.

Although he opposes a gas tax increase, he favors a cigarette tax increase to pay for Medicaid.

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Posted on Sat, May. 29, 2004

**DISTRICT 32 | S.C. SENATE**

## Luring new industry key in race

**By Kelly Marshall**  
**The Sun News**

Two candidates with more than 20 years of legislative experience are battling to bring better jobs, education and health care to residents throughout their large district.

Ted Brown, who was elected to the S.C. House three times from 1994 to 2000, is challenging Democratic incumbent Yancey McGill for S.C. Senate Seat 32 in June.

The district - which covers parts of Horry, Georgetown, Florence and Williamsburg counties - has high unemployment and a need for infrastructure.

The winner, who will be decided by the primary, will need to find road money, build the district's economic base and attract new industry to a diverse area.

Georgetown and Williamsburg counties have lost industries to foreign competition in the past several years.

Georgetown has seen growth in small manufacturing but has lost larger plants, such as Georgetown Steel and Cooper Wiring.

Phoenix Technology, Colonial Rubber and Kingstree Knit shut down in Williamsburg County, costing about 3,500 jobs.

McGill said he has the contacts and experience to improve the district.

While the unemployment rate in most of District 32 still is in the double digits, McGill said he is working to attract new jobs. McGill is the chairman of the Northeastern Strategic Alliance, which includes Georgetown, Horry, Williamsburg, Clarendon, Florence, Dillon, Marion, Darlington, Chesterfield and Marlboro counties. McGill uses the word "we" when talking about his accomplishments in the legislature because he believes in team work, he said.

"It cannot be county against county," he said. "In order for us to achieve economic growth, we have to focus on a major highway, such as I-73."

Brown wants to create a small-business cluster in District 32 and improve the training at local technical schools. "We have to go back to the table with the state-tech board and focus on our constituents and bring them up to par and bring them into the 21st century."

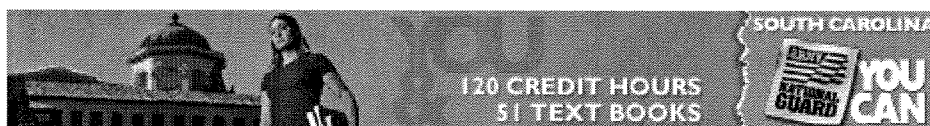
Both candidates see education as a key to recruiting industry and improving the quality of life.

"We have to recruit new companies," Brown said. "My small-business initiative will create jobs."

"We have to be more attractive to attract industry."


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## School district deconsolidation bill pronounced dead

Posted Friday, May 28, 2004 - 6:44 pm

By Tim Smith  
STAFF WRITER

COLUMBIA — A bill to study whether Greenville County's school district should be broken up is dead in the Senate, and some lawmakers said they would oppose any independent move by the county's legislative delegation to study the issue.

That's good news to Beverly Duncan, a Greenville parent of three students who opposes any deconsolidation effort because she said it would increase school costs.

"With increased class size that we've all felt this year, I would prefer funds go toward hiring teachers," she said, "rather than supporting more staff at the administrative level that it would take with deconsolidation."

The deconsolidation study bill has passed the House but ran into opposition in the Senate. Sen. Ralph Anderson, a Greenville Democrat, has lodged an objection to the bill, which under Senate rules effectively kills the legislation with just three days left in the legislative session.

"It's dead, buried, in it's grave and ready for the benediction," said Sen. Verne Smith, a Greer Republican who also opposes the measure.


Sen. Mike Fair, a Greenville Republican who supports the bill, said Friday there is no hope of the bill's survival. "There is not going to be any movement on the bill," he said.

The legislation would ask voters in November whether to create a task force to study whether to subdivide the district into at least three smaller districts. Supporters said the

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district — the state's largest — has grown too big and unresponsive.

Rep. Fletcher Smith, a Greenville Democrat who supports the bill, said he plans to meet with school board members after the session ends. He said depending on their attitude, he may ask the delegation to look into deconsolidation or file a bill next year.

"I want to make sure they are serious about listening to everybody," he said of the trustees.

"If I come away thinking they are arrogant, that they are not going to listen to me, then I'll make the motion to deconsolidate. I would have no qualms about it."

Smith, a black attorney, said he doesn't believe the district and board have been responsive to the community, especially his constituents.

"Too long have these people not listened to parents, black or white," he said. "I think most people want to see some accountability. This is one way to get accountability — is to deconsolidate."

The issue last came to voters in 1996, when 60 percent of voters rejected deconsolidation.

Fair said the issue still could be kept alive by the delegation if it voted to commission its own study of breaking up the district.

But Smith said he would oppose that. "I don't think it's appropriate at this time," he said.

Sen. David Thomas, a Fountain Inn Republican, said he wants more information before deciding whether the county's delegation should study the issue.

"I still want to understand the motivation and the rationale behind it since we've voted on it in the last eight years," he said. "I'm willing to listen to anyone's argument. I just haven't heard this argument made."

The November 1996 vote came after some lawmakers argued that breaking up the district would give parents more control and increase community involvement.

Opponents argued that it would be unnecessarily costly and create a poor district.



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## Former Orangeburg teachers charged with testing fraud

Published Saturday, May 29th, 2004

COLUMBIA, S.C. (AP) - Two former Orangeburg elementary school teachers have been arrested after authorities say they submitted false information used to evaluate student performance on state standardized tests.

Timothy Cox and Jane Davis-Tindal, former teachers at Edisto Elementary School, copied and submitted student portfolios used to evaluate special education students on the Palmetto Achievement Challenge Test, according to the State Law Enforcement Division. The teachers were arrested Tuesday.

Some South Carolina students with mental or learning disabilities take a modified version of PACT. Instead of filling in questions about math and English language arts, special education students are reviewed on the basis of teacher observations and a portfolio of the student's class work.

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Posted on Sat, May. 29, 2004

## S.C. FISHERY

# Summit likely to delay start of shrimp season

By Kelly Marshall  
The Sun News

South Carolina's commercial shrimping season likely will be delayed until mid-June because of security risks involving the the G8 summit in nearby Sea Island, Ga.

Georgia shrimpers will not be allowed to fish in state waters until at least June 14, after the summit is complete, said Dale Theiling, a biologist with the S.C. Department of Natural Resources.

The summit takes place June 8 to 10 and includes government officials from eight countries, including the United States, England, Canada, Germany, France and Russia.

"It would take daily inspections of boats and would take hours and hours to go fishing," said David Whitaker, a biologist with the S.C. Department of Natural Resources. "Just to simplify things, they've chosen to keep their waters closed. The fishermen are in agreement that should happen."

Georgia and South Carolina normally start their commercial seasons at the same time.

It is the latest start for the commercial shrimping season in the past three years.

In 2001 the season was held off until late June because the industry had not recovered from a cold snap that killed most of the roe shrimp.

The season has started by June 10 for the past two years.

The white shrimp still will be available when the season opens, Theiling said.

The white shrimp spawn to create the fall crop.

Brown shrimp, a different species, will arrive by July.

Early testing show catches of white shrimp will be better than average this year.

Meanwhile, shrimpers with larger boats are staying busy by dragging their nets in federal waters, which stay open throughout the year.

But some fishermen cannot afford the gas to fish that far out, said Herbie Cusack, an employee at Stormy Seas Seafood in Georgetown.

Diesel fuel is now about \$1.50 a gallon, he said, compared with \$1.05 at the same time last year.

Smaller boats use gas, which has risen to about \$2 a gallon. Shrimp boats can hold several thousand gallons of gas, he said.

"They can't drag for these roe shrimp, they couldn't never make any money," Cusack said. "They would probably burn about 75 gallons a day, and that's not counting the wear and tear on the engines."

Hard times have been with Grand Strand shrimpers since 2000, when a cold snap killed most of the roe shrimp.



Federal waters were closed that year from March until June to save the few shrimp that were left.

Commercial shrimpers across the Lowcountry are hoping for a good season this year but still are battling low prices paid for their product.

Last year, shrimpers caught 100,000 pounds of white shrimp and more than 1 million pounds of summer brown shrimp.

The price paid for local shrimp has dropped from \$6 to about \$3 a pound. The price paid by the consumer also has remained low because of the availability of foreign shrimp.

Shrimpers in North and South Carolina are fighting a flood of foreign imports and low prices for their product. Shrimpers have said competition with foreign shrimpers is reducing the price and quality of the product.

The Southern Shrimp Alliance is pushing for federal legislation that would put tariffs on low-priced shrimp shipped from overseas. Shrimpers in North Carolina, South Carolina, Georgia, Louisiana and Texas have joined the alliance and have filed a lawsuit against eight countries that produce foreign imports.

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Contact **KELLY MARSHALL** at [kmarshall@thesunnews.com](mailto:kmarshall@thesunnews.com) or 520-0497.

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Posted on Sat, May. 29, 2004

## SmartRide buses roll back into Columbia

**Commuter system tested in October will take workers downtown again starting June 7**

By KRISTY EPPLEY RUPON  
Staff Writer

Commuters from Camden and Newberry will get a free ride to work for a month starting June 7.

SmartRide, a new commuter bus system, will offer three stops each in Kershaw and Newberry counties, bringing riders to dropoff points in downtown Columbia and taking them home at the end of the workday.

"It gives the commuter an alternative," said Tom Johnson, program manager with the S.C. Department of Transportation, which is conducting SmartRide with the Santee-Wateree and Central Midlands Regional Transportation Authorities.

After the first free month, the cost will go up to between \$1.50 and \$3 each way. Even then, Johnson said, it could be cheaper for commuters than driving to work, in light of rising gasoline prices.

Santee-Wateree director Ann August agreed.

"They're going to save in terms of fuel and the time that they have to invest in their cars," she said.

The bus system, which will run Monday through Friday, also could benefit the environment by reducing the number of cars on the road, Johnson said. Road maintenance, and even accidents, could be reduced as well.

"I think this will help in a lot of different ways," he said.

Kershaw County routes will use 22-passenger buses, roughly half the size of the ones being used in Newberry.

DOT officials decided to start permanent SmartRide routes after a monthlong October test, which resulted in more than 2,700 passenger trips in 20 days from four areas of the Midlands.

Terrie Hunter, who lives in Newberry and works in the comptroller general's office in downtown Columbia, used the bus service every day of the test.

Hunter, who drives 100 miles round-trip to work every day, said the permanent service will make a big difference for her.

"I truly enjoyed it, and I was just really hoping and praying that it would come back because it's a needed service."

She said she plans to be a daily rider "as soon as they start."

Ultimately, the DOT would like to test out SmartRide systems in other areas of the state to try to establish more mass transit opportunities, Johnson said.

"Our plan is to introduce this type of commuter travel statewide. There's a lot of potential in the state," he said.

Reach Rupon at (803) 771-8622 or [krupon@thestate.com](mailto:krupon@thestate.com).

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Posted on May 28, 2004

## Sanford upset lawmakers but drew attention to an important point

Gov. Mark Sanford has a point, a point that lawmakers would rather ignore.

That's why Sanford took two pigs named "pork" and "barrel" to the floor of the state House of Representatives Thursday.

He wanted to draw attention to the fact that lawmakers have included "pork-barrel" projects

for their districts in the state budget, but they wouldn't appropriate money to fully retire an unconstitutional deficit.

Lawmakers are outraged that Sanford made this point by taking live pigs to their august assembly.

But what is the governor to do? House members paid no attention to his vetoes. In less than two hours, the House overrode 105 of the governor's 106 vetoes. They overrode them without discussion, debate or thought.

The real message House members sent to the governor was one of institutional arrogance. They wanted to tell the governor not to worry his head about the budget, that the budget is their business. Stick to economic development and the other tasks left to the governor, and let us in the General Assembly run the state and determine how our money is spent. That was the message sent by the practically instant override of Sanford's vetoes.

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But this is a governor who is not willing to abide by the rules of power and privilege in Columbia, especially when they get in the way of goals that make sense for the entire state.

That's why he has been willing to oppose lawmakers when they sacrifice state priorities for local projects, when they put the long-term fiscal health of the state second to the political pressures of passing a budget in an election year.

The governor could have just taken the blows of the instant overrides, but his point would have been lost. Instead, Sanford made sure that the state paid attention to his point and that people will be talking about it for some time to come.

Lawmakers with dour faces and serious tones will talk about how the governor violated the dignity of their legislative chamber.

South Carolinians should not take them too seriously. In many ways this year -- through burdening key legislation with local projects, through allowing a few senators to bog down the entire legislative process, to allowing local projects priority in a tight budget -- lawmakers have shown a greater interest in preserving their authority and privileges than in doing what's best for the state.

It may help to shake them up a bit.

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## State needs jobs, and legal reform

Posted Friday, May 28, 2004 - 8:48 pm

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### Help

South Carolina needs tort reform, and the deliberations are at a critical point. Although the House has passed a tort reform bill, a similar bill has stalled in the Senate. The Senate must pass H.3744 or a reasonable alternative in the next week to restore some balance, fairness and common sense to our legal system.

South Carolina First, a group for revising the civil justice system, includes Chambers of Commerce, small business organizations, industries, construction companies, the Association of General Contractors and professional groups representing doctors, accountants and engineers. The issues include problems with double recoveries, frivolous lawsuits, venue shopping, caps on non-economic damages, fair share of total liability, charitable immunity and statutes of limitation/repose.

Lawsuits against doctors and settlements for "pain and suffering" make the papers every day. However, for more than 75 years, Greenville has had a major construction and engineering industry. Current problems in the civil justice system negatively affect these companies, as well as physicians.

Engineering and construction companies are often included in lawsuits as part of an overall project. The companies not only incur significant legal fees, but

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#### Guest column

- **Mark Sanford:** Budget process needs statewide perspective (05/31/04)
- **W. Marcus Newberry Jr.:** Let's take the road less traveled to better health (05/30/04)
- **David Shi:** Flowing waters of Reedy River carry eternal promise of renewal (05/30/04)
- **Randy Kowalski:** Put maximum effort into helping others, living life (05/30/04)
- **:** State needs jobs, and legal reform (05/28/04)

#### More details

George Fletcher, an environmental engineer and president of a Greenville engineering group, is president of the S.C. Chapter of the American Council of Engineering Companies. He is a former chairman of the Greenville Chamber of Commerce.

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huge amounts of time to sort out liabilities for projects sometimes completed more than 10 years ago.

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Engineering and construction companies are often forced into settlements by their insurance carriers based on economics, and not necessarily liability. This hurts the companies' reputation and damages their marketing ability. The law should also provide companies an opportunity to fix the problem before proceeding to a lawsuit. This often happens, but sometimes bad feelings get in the way of rational actions.

Currently, a plaintiff in South Carolina with construction related damages has 13 years to file a lawsuit. This is the second longest statute of repose in the country. By comparison, North Carolina has six years; Georgia has eight years. The overwhelming majority of claims are filed in the first few years after a project is completed. H.3744 called for an eight-year statute of repose.

Certain counties in our state are considered "plaintiff friendly" places to sue corporations. In many instances, cases can easily be moved to one of these locations. This results in verdicts that are skewed against corporations. Furthermore, the theory of joint and several liability can hold a defendant that is only responsible for 5 percent of the total liability accountable for the entire award. This practice targets the companies with the most insurance or the deepest pockets.

We are all paying the price of this system. South Carolina First estimates that frivolous lawsuits cost the average family \$3,300 annually in the form of more expensive products and services. In South Carolina, that amounts to 7 percent of the median family income. Similar to the health care industry, the costs of new engineering and construction are higher due to these risks.

The Senate seems to be struggling with the caps on noneconomic damages and determining exceptions to H.3744 for certain medical malpractice situations. The exceptions may be important to passing a bill that is fair to all concerned. But it would be tragic if reasonable portions of the current bill died because the Legislature can't agree on the exceptions.

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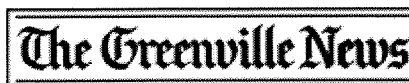
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Posted on Sat, May. 29, 2004

## Sanford's pig stunt invites ridicule

**In the eyes of the nation, the joke is on South Carolina**

When South Carolinians went to the polls in 2002 to elect a governor, they thought they were getting a new moderate, sophisticated leader in Republican Mark Sanford.

Instead, they seem to have gotten the class clown.

On Thursday, Sanford carried two squealing piglets — dubbed "Pork" and "Barrel" — under his arms up the steps to the lobby outside the House and Senate to decry what he saw as pork in the new state budget.

Most lawmakers blasted it as a stunt, and some said it would make the state the butt of jokes nationally.

"It was like high school high jinks," says University of South Carolina analyst Blease Graham.

"This was definitely a stunt out of the past from a good-time Charlie," says University of Virginia political scientist Larry Sabato.

His book "Goodbye to Good-Time Charlie" told the story of a new breed of Southern governors replacing old Democratic war horses who gave great stump speeches but couldn't govern.

South Carolinians have a lot of pride. They can tolerate most anything, including disappointment and failure. But they cannot accept public officials who embarrass them.

Sanford did.

"It was an in-your-face kind of thing," Graham said. "The real problem now is, how do you have the next round of conversation with (lawmakers) after you've embarrassed them and after the governor has become the brunt of jokes?"

"What do you say next?"

Sanford is standing his ground. Asked a day later if he would pull the same stunt again, his response was "Absolutely."

"I'm going to use any means available to me to raise that issue. This was a lighthearted way of getting a point across."

Unfortunately for Sanford, his stunt has drowned out his message. All anyone wants to talk about is the governor and those pigs instead of engaging in a substantive discussion of the budget.

"How does this man come back and deliver his State of the State address next year?" wonders Francis Marion University professor Neal Thigpen.

"He has probably damaged himself with the Legislature. He's going to have two long years."

And who knows what impact this might have on his re-election, should he choose to seek another term in 2006.

In 1950, then-Gov. Strom Thurmond paid dearly for standing on his head for photographers to demonstrate his physical fitness. The photo appeared in Life magazine and served as fodder for many jokes.

U.S. Sen. Olin D. Johnston took that picture on the campaign trail and held it up at every stop, asking people if they

wanted to vote for someone who stood on his head. Thurmond lost. It was his only statewide defeat.

South Carolinians respect their institutions and expect a certain amount of decorum from their highest officials.

What Sanford did was demeaning to the office of governor and the state of South Carolina. And it certainly didn't help our image. Outsiders already have this stereotype of the South, and something like this confirms that sad image.

Once again, thanks to Sanford, it's acceptable to laugh at South Carolina.

Sanford would have been better advised to hold a news conference and say what he wanted to say in an appropriate, dignified manner.

The pig stunt caught many by surprise. It seemed out of character for someone like Sanford with his privileged background. It is completely counter to his casual-but-with-a-serious-message image.

Before Thursday, it would have been hard to imagine Sanford going around holding piglets that are pooping on his shoes.

But then maybe the piglets were in cahoots with the Legislature.

The snicker factor has set in, and, sadly, South Carolina is the butt of the joke — again.

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Posted on Sat, May. 29, 2004

THE SUN NEWS

## EARLY-CHILDHOOD EDUCATION

**Access to day-care centers boosts preparedness**

By Anne Ross

In the light of the 50th anniversary of Brown v. Board of Education, I am moved to write about a present-day situation that affects the early education of a significant number of the youngsters of this county. I have worked for the past nine months as a consultant to seven day-care centers for Horry County First Steps, a state-funded grant program that works to improve the quality of day-care education in South Carolina. I visited these day-care centers for the first time in the fall of 2003, and they were filled to capacity with children being cared for while their parents worked to support their families. A number of these families received financial assistance for the day-care costs from another state program, ABC vouchers for low-income working families.

These ABC funds were cut back drastically during the winter, a cut of state funds and matching federal funds. Gradually over the late winter and spring, parents were forced to remove their children from licensed and regulated day-care and family child-care centers when they could no longer afford to pay tuition. Now my centers are nearly empty, with just a handful of children in attendance.

This is not only a tragedy for the children, their families and the day-care centers, some of which have closed or are close to closing. It is also a tragedy for our community. These children are at risk of not being ready for entrance into public school. Research is now proving that the early years (birth through age 4) are a critical time for brain development. Hand-in-hand with intellectual development is the social development these children experience at these centers, where caring professionals help them make significant steps in becoming successful and productive members of society.

Day-care centers also provide parents with critical information regarding early intervention for children with health and/or learning challenges. If the parents of these children can no longer afford to have their children enrolled in these centers, everyone in the community will suffer. Support for the youngest in our society is money well-invested. It will pay dividends in the future, both at school and in the workplace. I would urge anyone who agrees to contact the politicians in Columbia to restore financial support to these parents.

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*The writer lives in Conway.*

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